

Practitioner's Docket No. FORE-39

MAY 02 2003

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Initial application of: Hyong S. Kim, Robert D. Sansom and Lawrence R. Cleeton

Application No.: 09/282,748

Group No.: 2666

Filed: March 31, 1999

Examiner: Phuc H. Tran

For: ATM TRAFFIC HAVING UNKNOWN CHARACTERISTICS INCLUDING TRAFFIC WITH  
WEIGHTED PRIORITIES AND TRAFFIC WITHOUT WEIGHTED PRIORITIES

RECEIVED

Commissioner for Patents

Washington, D.C. 20231

MAY 06 2003

Technology Center 2600

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed January 27, 2003, finally rejecting claims 1-24.

**1. STATUS OF APPLICANT**

This application is on behalf of other than a small entity.

05/02/2003 CNGUYEN 00000093 09282748

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320.00 OP

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is **mandatory**;  
**Express Mail certification is optional.**)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10\*

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**TRANSMISSION**

facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Date: 4/28/03

Signature

Tracey L. Milka

Tracey L. Milka

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Other than a small entity                    \$320.00

Notice of Appeal fee due                    \$320.00

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee                    \$320.00

**TOTAL FEE DUE \$320.00**

**5. FEE PAYMENT**

Attached is a check in the amount of \$320.00.

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 19-0737.



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